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SENSITIVE

DEPARTMENT FOR CA/PPT - ABARRETT; EUR/ERA - RBOLY

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SUBJECT: U.S.-EU JOINT MISSION TO INTERPOL ON LOST/STOLEN PASSPORTS

REF: (A) BRUSSELS 2487 (B) STATE 100029

1. (SBU) Summary. During consultations in Brussels on 6/9 and a subsequent joint mission to Interpol headquarters in Lyon on 6/10, the U.S. and EU ironed out some of the remaining wrinkles in plans to share information on lost and stolen passports through Interpol. An EU Common Position, expected to be approved 6/18, will oblige all Member States to immediately begin transferring current and future data on lost/stolen passports to Interpol. The EU will require reciprocity for Interpol to share this data with other countries. The joint mission discussed technical issues aimed at improving verification, feedback, data privacy and data protection. Expanding access to Interpol's database at ports of entry worldwide will increase its utility. End Summary.

EU Prepares to Adopt Common Position on Lost/Stolen Passports

2. (SBU) On 6/9, European Commission (EC) officials briefed Managing Director for Passport Services Ann Barrett, Senior Passport Operations Officer Michael Holly and PRMOFF on the draft EU Council Common Position regarding the transfer of lost/stolen passport data to Interpol. The draft received unanimous support at the EU Justice and Home Affairs (JHA) Council earlier that day and should formally be adopted by the EU on 6/18. The Common Position provides a legal basis -- as well as an obligation -- for EU Member States to transfer all present and future data on lost and stolen passports to Interpol immediately after the passport data is sent to the Schengen Information System (SIS) and/or the national database. Currently, only seven EU Member States provide passport data to Interpol. According to JHA Administrator for Police Cooperation Jacques Verraes, when the upgraded version of the SIS comes online in 2007 the function of transferring passport data to Interpol will be assumed by the EC. SIS-2 will have the legal and technical capabilities to automatically transfer data on lost and stolen passports.

Interpol Provides Conduit for Information Exchange

3. (SBU) In his opening remarks to the joint U.S.-EU mission on 6/10, Interpol Secretary General Ronald Noble said that the decision by the U.S. and EU to submit data on lost and stolen passports to Interpol will greatly increase the utility of its Stolen Travel Document database. Operational since September 2002, the Interpol database currently consists of 1.5 million records from 41 countries, including approximately 306,000 records from the U.S. Noble noted that on 6/9 the G8 called for its members to contribute their records on blank passports to the database by the end of 2004.

4. (SBU) Noble stressed the advantages of exchanging data through Interpol by describing its global communication system (I-24/7), which allows 106 countries to continuously send and receive information, as well as the Command and Control Center staffed round the clock with multi-lingual personnel. Noble welcomed the EU's draft Common Position and said that the Interpol database could handle receiving the 8.5 million records of stolen/lost documents currently in the SIS. JHA Head of Unit for Large Scale Information Systems Frank Paul clarified that the 8.5 million figure includes national identity cards and drivers licenses, but that the number of passports was probably several million.

5. (SBU) According to Interpol, its travel document database has only generated 149 hits so far this year. This low number is attributed to a lack of access at ports of entry and by national officials other than the NCBs. Once the database is routinely queried by POEs and elsewhere, the number of hits is expected to rise quickly. Interpol said that within three months an interim solution could be found to expand connectivity to ports of entry (contingent on approximately 100,000 euros for technical improvements). This connectivity will be piloted in the US.

A more permanent solution could be reached by 2005 and cost nearly a million euros. The EU Common Position stipulates that "Member States shall ensure that their police authorities will query the Interpol database for the purpose of this Common Position each time when appropriate for the performance of their task. Member States will ensure that they set up the infrastructures required to facilitate on-line consultation at the latest by December 2004."

Ironing Out the Details

16. (SBU) Major points covered during the consultations in Brussels and Lyon on stolen/lost passports are as follows:

-- Scope of data: At Noble's request, the U.S. and EU said they would be receptive to contributing data on both blank and issued passports to the database. He said that the date and location of the theft/loss was also important. Barrett said that although this data was not recorded in CLASP, the Department could consider modifying its current procedures.

-- Reciprocity: The EU will demand reciprocity by only allowing Interpol to share EU-originated data with other members which provide similar information to Interpol and which give the EU access to it. The EU intends to sign an "appropriate instrument" with Interpol headquarters and with other contributing countries to ensure reciprocity. According to Verraes, for the U.S. this could be accomplished with a simple exchange of notes and does not have to be an elaborate, legally binding instrument. (Note. The EU wants to guarantee that countries which sign a reciprocity agreement update the database in a timely and consistent manner -- not an issue with the U.S. End Note.) Barrett stated that the U.S. restricts its data only to the five officially listed state sponsors of terrorism and said the U.S. hopes in this way to lead by example. Noble said he would remind countries at the upcoming general assembly in October that if they query the database they should also contribute data. Barrett also mentioned that the U.S. intends to demarche all Interpol members to encourage them to share passport data.

-- Data Protection: The EU will require an "adequate level of protection of the personal data concerned" in its agreements with third countries. According to JHA Special Assistant Luigi Soreca, this will involve a very low qualitative threshold because it relates to third pillar data protection for law enforcement purposes (which virtually all of the 182 Interpol members currently meet). Soreca and Paul both mentioned that data protection issues were essential for gaining political support for the initiative from EU Member States. Both the U.S. and EU expressed some concern about the possibility of "data mining" by certain governments. To guard against this, Interpol allows border officials to check only one document at a time. If NCBs submit large series of numbers for checks, Interpol only provides the first ten responses. Interpol said that national security officers are also able to monitor, audit and analyze inquiry patterns.

-- Data Privacy: The EC expressed some data privacy reservations, including retention periods and rights of redress by the traveling public. Regarding data retention, Interpol explained that the default purge date is set at five years. Before the period expires, the contributing state will be notified and asked whether the information is still relevant or whether it should be purged from the system. Interpol noted that contributors are also given the option to set their own expiration dates (e.g., the UK currently uses 10 years after the date the passport was issued). Interpol also explained that citizens could file a "freedom of information" type request, but that Interpol would ask permission from the contributing state before providing information on file. If incorrect data has been entered into the Interpol database, only the contributing government may request its alteration or deletion (not the private citizen or another government).

-- Feedback and Verification: Barrett stated that the top USG concern relates to Interpol members sharing immediate feedback on hits, particularly if they involve American citizens being stopped by border officials. The EC also expressed concern about malicious reporting of stolen documents and inaccuracy of data entry resulting in legitimate travelers being stopped. Interpol explained that each hit generates an automatic alarm message which states, "Do not take any police action before contact is made with the relevant NCB." The EU Common Position makes verification mandatory before action is taken by national officials in the EU. Barrett suggested customized wording to accelerate the verification process. If the automated message requested specific information which only a legitimate passport holder could answer (i.e., mother's maiden name, father's birth date, social security number, etc.), the verification process

would be expedited. Interpol said that this was technically feasible and they would explore this possibility further. When asked about system down time, Interpol explained that the database is replicated and that if one system should go down, an error report is generated and when the database is queried again the request is automatically routed to the back-up for response.

Comment

17. (SBU) The joint mission to Interpol was useful in moving the information exchange on stolen/lost passports forward, as well as enhancing the transatlantic dialogue on border and transportation security. Success in this information sharing effort could build confidence and lead to other initiatives with the EU. CA/PPTs consultations in Brussels also allowed the EU to update the Department on other relevant topics such as including biometrics in EU passports (reftel a) and the effects of enlargement on the movement of American citizens in the Schengen area. At Interpol, the U.S.'s decision to quickly hand over passport data compared favorably to the EU's internal plodding. Though slower, the EU's Common Position should ultimately result in an additional 18 countries contributing to Interpol's Stolen Travel Document database.

(CA/PPT has cleared on this cable.)

SCHNABEL